

said inside belt like member comprising two belt like submembers which are separable detachably from each other along a line extending in the longitudinal direction; and

one side end of said inside belt like member being joined to one side end of said outside belt like member and the other side end of said inside belt like member being joined to the other side end of said outside belt like member to form a flat tube.

5. (Amended) The seat belt cover according to claim 1, wherein said flat tubular member comprises an outside belt like member and an inside belt like member; at least said inside belt like member comprising a cushioning material provided internally.

#### **REMARKS**

The Office Action dated June 18, 2002 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

Claims 1-9 are pending in the current application. By this Response, Applicant cancels claims 8 and 9, and amends claims 1-5. Therefore, claims 1-7 are respectfully submitted for consideration.

Claims 3-5 were objected to because of informalities. Claims 3-5 have been amended as shown on the attached Marked-Up Copy of the claims to overcome this objection. Therefore, Applicant respectfully requests withdrawal of the objection to claims 3-5.

Claims 1-5 were rejected under 35 U.S.C. §102(b) as being anticipated by Fulgenzi et al. (U.S. Patent No. 5,387,028). Applicant respectfully traverses this rejection because Fulgenzi et al. fails to disclose teach or suggest all the feature recited in rejected claim 1, upon which claims 2-5 depend.

Amended claim 1 recites 1 a seat belt cover for covering a seat belt used in a seat belt system of a motor vehicle for holding an occupant. The seat belt system includes a single seat belt which is fixed to the body of the motor vehicle at its lower end and which is retractably wound up on a retractor provided on the body of the motor vehicle at its upper end. The seat belt system also includes a slip which guides the seat belt to the retractor when the seat belt is wound up, and a through-tongue which has an aperture through which the seat belt passes and which is detachably secured to the body of the motor vehicle. The seat belt cover includes a flat tubular member through which the seat belt is passed to be covered therewith, wherein, the flat tubular member has i) a slit-shaped opening provided at its lower end and having a width larger than the width of the through-tongue and ii) a slit-shaped opening provided at its upper end and having a width which is enough to pass the seat belt but not enough to pass the through-tongue.

Fulgenzi et al. fails to disclose, teach or suggest a seat belt system which includes a single seat belt which is fixed to the body of the motor vehicle at its lower end and which is retractably wound up on a retractor provided on the body of the motor vehicle at its upper end. Fulgenzi et al. also fails to disclose, teach or suggest a seat belt system which includes a slip guide which guides the seat belt to a retractor when the seat belt is wound up or a through-tongue which has an aperture through which the seat belt passes and which is detachably secured to the body of the motor vehicle.

In contrast to the present invention, the occupant harness of Fulgenzi et al. necessarily utilizes a pair of belts (see Fulgenzi et al. at column 1, line 39, and Figs. 1, 4, 6a and 6b).

Moreover, as discussed above, the seat belt and the through-tongue, as recited in claim 1 of the present invention, are separate and discrete elements. The seat belt is passed through both the seat belt and the through-tongue.

Conversely, the harness disclosed by Fulgenzi et al. includes a pair of tongue members 20 and 22 (Col. 2, lines 17-18), and each of the tongue member includes the upper portion 24, an intermediate portion 26, and the tongue portion 28 (Col. 2, lines 34-36). These portions are not separate, but integrated.

Moreover in the present invention, as recited in claim 1, the through-tongue has an aperture through which the belt is passed.

In contrast, neither the intermediate portion 26 nor the tongue portion 28, disclosed by Fulgenzi et al. has an aperture through which the seat belt can be passed. Therefore neither the intermediate portion 26 nor the tongue portion 28 can correspond to the through-tongue of claim 1 as suggested by the Examiner.

Consequently, claim 1 is patentable over Fulgenzi et al. Therefore, Applicant respectfully requests withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) over Fulgenzi et al.

Claims 2-5 depend directly from claim 1 and are, therefore, patentable for at least the same reasons as claim 1. Thus, Applicant respectfully requests withdrawal of the rejection of claims 2-5 under 35 U.S.C. §102(b) over Fulgenzi et al.

Claim 8 was rejected under 35 U.S.C. §102(b) as being anticipated by Saenz (U.S. Patent No. 4,699,401).

Claim 8 has been cancelled rendering its rejection moot. Thus, Applicant respectfully requests withdrawal of the rejection of claim 8 under 35 U.S.C. §102(b) over Saenz.

Claims 6 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fulgenzi et al. in view of Saenz.

Claims 6 and 7 depend from claim 1. As discussed above, Fulgenzi et al. fails to disclose, teach or suggest all the features recited in amended claim 1.

Saenz fails to remedy the deficiencies of Fulgenzi et al., as it is merely directed to a removable seat belt cover including an elongated foldable length of base material, which includes a protective cushion portion adapted to surround a selected portion of a seat belt when the base material is folded thereabout. In addition, Saenz discloses that the base material includes an article retainer.

Therefore, claims 6 and 7, by their dependency from claim 1 are patentable over the combination of Fulgenzi et al and Saenz. Thus, Applicant respectfully request withdrawal of the rejection of claims 6 and 7 under 35 U.S.C. §103(a) over Fulgenzi et al. and Saenz.

If for any reason the Examiner determines that the application is not in condition for allowance, it is respectfully requested that the Examiner contact by telephone, the Applicants' undersigned Attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event that this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 01-2300 making reference to Attorney Docket No. 024015-00002.

Respectfully submitted,

**DRAFT**

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Enclosures: Marked-Up Copy of Claims

**MARKED UP COPY OF THE CLAIMS**

1. (Amended) A seat belt cover for covering a seat belt used in a seat belt system of a motor vehicle for holding an occupant, said seat belt system comprising a single seat belt which is fixed to the body of the motor vehicle at its lower end and which is retractably wound up on a retractor provided on the body of the motor vehicle at its upper end, a slip which guides the seat belt to said retractor when the seat belt is wound up, and a through-tongue which has an aperture through which the seat belt passes and which is detachably secured to the body of the motor vehicle, said seat belt cover comprising:

a flat tubular member through which said [a] seat belt [of a motor vehicle] is passed to be covered therewith, wherein[:],

said flat tubular member has i) a slit-shaped opening provided at its lower end and having a width larger than the width of [a] said through-tongue and ii) a slit-shaped opening provided at its upper end and having a width which is enough to pass the seat belt but not enough to pass the through-tongue.

2. (Amended) The seat belt cover according to claim 1, which is so constructed that, when the seat belt is unused and the seat belt is wound up on [a] said retractor [provided in the body of a motor vehicle], the upper end of said seat belt cover stops at [a] said slip guide[ which guides the seat belt to the retractor], and at the same time the through-tongue is received into the interior of said seat belt cover and stops at the upper end of the seat belt cover.

3. (Amended) The seat belt cover according to claim 1, wherein the slit-shaped opening made at the lower end of the flat-tubular seat belt cover is notched upward at [the] right-and-left [both] ends of the opening.

4. (Amended) The seat belt cover according to claim 1, wherein said flat tube tubular member comprises an outside belt like member and an inside belt like member, said inside belt like member comprising two belt like submembers which are separable detachably from each other along a line extending in the longitudinal direction; and

one side end of said inside belt like member being joined to one side end of said outside belt like member and the other side end of said inside belt like member being joined to the other side end of said outside belt like member to form a flat tube.

5. (Amended) The seat belt cover according to claim 1, wherein said flat [tube] tubular member comprises an outside belt like member and an inside belt like member,

at least said inside belt like member comprising a cushioning material provided internally.